Lawmakers want to repeal occupational licensing

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There's a plan afoot in the Legislature that would make it easier to enter everyday professions, including barbers and makeup artists, along with more specialized jobs like harbor pilots, safety inspectors and even certified public accountants.

A proposal (HB 707) from state Rep. Paul Renner, R-Palm Coast, to review occupational licensing requirements for nearly 100 professions is one committee away from the House floor. It sailed through two committees with nary a 'no' vote.

"It is important that we do this because some of these regulations are a barrier to the poor to work," Renner told the Health & Human Services Committee this week.

"It is agnostic in regard to regulations, (but) when the government says you cannot legally practice without meeting these conditions, then we should look at these professions in a methodical, careful way and make any changes needed," he added.

The committee agreed and advanced the bill on a 11-4 vote. As it awaits to be scheduled for an Appropriations Committee hearing, its vote total so far is 33 'yes' and only 5 'no's.

Occupational licensing reform "to increase professional opportunity for Floridians" is a priority of Republican Gov. Ron DeSantis. He ordered what he called a "Deregathon" event late January to brainstorm ways to deregulate.

Renner's measure would schedule up to 25 occupational licenses to be reviewed each of the next four years to see whether the licensing requirements are really needed to protect the "welfare, health and safety" of Floridians.

The Legislature repealed a sunset review of licensing in 1991 and there has not been a comprehensive review process since. The law, in place for 14 years, conducted 240 reviews and created a total of 50 new regulatory laws.

Halsey Beshears, Secretary of the Department of Business and Professional Regulation, tried to repeal many of those laws and licenses after he was elected to the House in 2012. That chamber passed major deregulation legislation in 2017 and 2018, but the Senate failed to act on it.

Beshears, speaking shortly before Renner presented his proposal to the
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committee, said he applauds Renner “for trying to make it easier for Floridians to go to work.”

Beshears and Renner are among a group of ‘deregulators’ who point out that in the 1950s fewer than 5% of U.S. workers were required to have an occupational license to do their job.

Today, more than 25% of Florida workers needs to be either licensed or certified by at least one of 11 state agencies or departments, according to a House staff analysis.

Elsewhere, governors in Arizona, Pennsylvania and Colorado also are pushing their legislatures to take another look at professional licensing requirements.

Conservative think tanks support the effort and point to a study by the Brookings Institution that found excessive licensing reduces economic activity by more than $203 billion annually.

"Unreasonable and needless regulations create a drag on our economic growth, stifle competition and keep hardworking Floridians out of the labor pool," Gov. Ron DeSantis said after taking office last year.

This session, there are 10 bills moving through the House and Senate that either would repeal or lessen licensing requirements for many of the 100 professions Renner wants to include in a sunset review.

A bill by Wauchula GOP state Sen. Ben Albritton (SB 474) jumps past the review process and makes recommendations to either repeal or lighten licensing requirements for many of the professions Renner targets.

Earlier this week it passed out of the Commerce and Tourism Committee chaired by Sen. Joe Gruters, R-Sarasota.

In a discussion about regulations after speaking at an economic development news conference, Gruters said licensing is an obstacle to the lower and middle classes’ pursuit “to live the American Dream.”

“There are certain instances where occupational licenses are worthwhile and needed because of a specialized skill, (but) we should try to open the American dream for as many people as possible," Gruters said.

Opponents of the bill, including associations for architects, interior designers, and cosmetologists have expressed fear of the unintended consequences of an automatic sunset of licensing requirements for professions.

J. Michael Huey represents architects. He wondered to the Human Services Committee what happens to licensing reciprocity with other states if Florida architects no longer need a license, for instance.
"That's a great unknown," Huey told the committee. He added that the bill is creating a lot of "angst" among professionals.

But Beshears, Renner and Gruters all express optimism that lawmakers will figure out such questions and get a bill to DeSantis' desk this spring.

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